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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,076	04/19/2004	Timothy Darren Brown	2003-0737.01	1887
21972 7590 11/14/2007 LEXMARK INTERNATIONAL, INC. INTELLECTUAL PROPERTY LAW DEPARTMENT 740 WEST NEW CIRCLE ROAD BLDG. 082-1 LEXINGTON, KY 40550-0999			EXAMINER UNELUS, ERNEST	
			ART UNIT 2181	PAPER NUMBER
			MAIL DATE 11/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/827,076

Applicant(s)

BROWN ET AL.

Examiner

Ernest Unelus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

RESPONSE TO AMENDMENT

Claim rejections based on prior art

1. Applicant's arguments filed 08/29/2007 have been fully considered but they are not persuasive.

The applicant argues that Boldt, the cited reference, teaches of querying a target device for setting information before writing the settings; this is not completely correct; even if that was completely correct, the language of the applicant's claim doesn't clearly specified particular steps of all the events, for example, as the applicant discloses in page 15 from the applicant's Remarks, which discloses steps from (1) one to (3) three.

Looking at the Boldt reference, figs. 2-7 is the step of a computer taking the setting features from a source and distributing the settings to one or more targets; for example, see 'Graphical User Interface for Controlling Printer Settings', from col. 6, line 24 to col. 7, line 52. Further, see col. 6, lines 32-38, which disclose, "The user may select either an actual printer 8a, b, c, d or a printer file including printer settings. The printer file is a data file stored in a storage area of the computer 4a, b, c, d. Printer files are created to store various printer settings. The user can then apply the printer file to a printer 8a, b, c, d to configure the printer 8a, b, c, d according to the settings maintained in the printer file". See also col. 6, lines 46-51. Col. 7, lines 15-23 discloses "This dialog box 32 shows which values failed to copy over successfully. For instance, the value for the console lock feature was not copied from the source printer "Office" to the target printer "Printer room" as the console lock feature is not an available feature on the target printer "Printer room," i.e., one cannot lock the console of the printer "Printer room"". As disclose above, Boldt discloses the

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writhing of the setting from a source to the targets and one of the features of the setting not being accepted by a particular target, which is a form of error.

In regards to the querying and the retransmission of the settings after the error, as Boldt discloses, these two steps take place in the loop as Boldt discloses in col. 8, lines 50-53; see col. 8, line 50 to col. 9, line 12. After receiving an initial setting, if a particular target printer is not happy (configured) with one or two of the features from the setting, the computer will query the printer, a target, to see what kind of setting it can support, if it doesn't support something such as 'console lock'. After the query, the computer will transmit the best setting for the target printer.

The newly claim 35 has been considered.

INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

2. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R. 1.63.

INFORMATION CONCERNING DRAWINGS

Drawings

3. The applicant's drawings submitted are acceptable for examination purposes.

REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-34** are rejected under 35 U.S.C. 102(b) as being anticipated by Boldt et al. (US pat. 6,349,304).

6. As per **claims 1, 12, and 23**, Boldt discloses “A method of establishing a plurality of target device settings for at least one target device based on a plurality of source device settings of a source device via a network (see abstract), comprising the steps of:

writing each setting of said plurality of source device settings to said at least one target device (see col. 8, lines 44-47, which discloses “then the computer 4a, b, c, d would begin the process of copying values for the selected features from the source printer 8a, b, c, d or printer file to the targets”);

generating an invalid setting indication for each setting not accepted by said at least one target device (see col. 8, lines 50-58 and col. 9, lines 17-20, which discloses one or more printers not being happy (configured) with one or some of the selected features that had been forwarded to it/them. The generating of the invalid setting is the collecting of the selected features because it is one or two of those features that is not valid. Further, please see fig. 7, which discloses one of the selected features such as ‘console lock’ not being accepted to the target, ‘printer room 164.108’. Looking back at fig. 4, someone can see that ‘console lock’ was one of the selected features);

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querying said at least one target device for setting information based on each said invalid setting indication (see col. 8, lines 60-67, which discloses **"If the target is a printer 8a, b, c, d, then control transfers to block 64 where the computer 4a, b, c, d transmits a query over the network 10 to the target printer 8a, b, c, d to determine whether the target printer 8a, b, c, d supports both the selected feature and the source value for the selected feature. For instance, the target printer 8a, b, c, d may support the selected feature, but may not be capable of implementing the source value for the selected feature"**); and

writing, for at least one of said each setting not accepted by said at least one target device, a value to said at least one target device, said value corresponding to said setting information"(see col. 9, lines 3-12, which discloses **"After determining which of the values for the selected features are supported at the target printer 8a, b, c, d, control transfers to block 66 where the computer 4a, b, c, d configures the selected target printer with the values for the selected group of features that are available at the target printer 8a, b, c, d, as determined from the query at block 64"**).

Note: the beginning of col. 8, lines 50-53, discloses the beginning steps of a loop to configured all targets devices. The applicant look at the middle of the loop, the querying part, and stated that Boldt, the cited reference, starts with the querying; that is not completely correct because col. 8, lines 50-53 discloses "Control then transfers to block 60 which is the start of a loop that continues while there are target printers 8a, b, c, d and/or a printer file that have not been configured with the values of the selected source features".

7. As per claims 2, 13, and 24, Boldt discloses “The method of claim 1”, [see rejection to **claim 1 above**], “further comprising the step of retrieving said plurality of source device settings from a location prior to said writing said each setting” (**col. 8, lines 43-47 discloses the computer collecting a setting before it writes it to the targets. See fig. 4).**

8. As per claims 3, 14, and 25, Boldt further discloses “further comprising the step of retrieving an optimized list of source device settings from a location, wherein said writing said each setting includes writing said each setting according to said optimized list of source device settings (see col. 9, lines 1-9).

9. As per claims 4, 15, and 26, Boldt discloses “wherein said optimized list of source device settings is based on a dependency of one of said each setting upon another of said each setting (see col. 8, line 60 to col. 9, line 9).

10. As per claims 5, 16, and 27, Boldt further discloses “comprising the step of verifying an acceptance of said each setting by said at least one target device prior to said generating said invalid setting indication (see col. 8, lines 31-49 and fig. 4).

11. As per claims 6, 17, and 28, Boldt discloses “wherein said source device transmits a program to a computer via said network (see col. 7, lines 55-58, which discloses the application program to configure the setting features to the targets), said computer having access to said at least one target device via said network (see col. 7, lines 55-58, which stated the printers as

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the target device), said program executing on said computer to perform said steps of said writing said each setting (see col. 8, lines 43-47, which discloses the computer writing a setting from a source to the targets), said generating said invalid setting indication (col. 8, lines 50-58 and col. 9, lines 17-20 discloses a selected feature from the setting file not being copied to a particular target or multiple target not), said querying said at least one target device (see col. 8, lines 60 -67), and said writing said value (see col. 9, lines 3-12).

12. As per claims 7, 18, and 29, Boldt further discloses “comprising the step of constructing at least one error tracking page listing each said invalid setting indication (see fig. 7, which discloses “printer room 164.108....Console lock-cannot be set on this printer”).

13. As per claims 8, 19, and 30, Boldt discloses “wherein said at least one error tracking page corresponds to said at least one target device (see fig. 7, which discloses printer room 164.108 as the target device).

14. As per claims 9, 20, and 31, Boldt discloses “wherein 9. The method of claim 7, wherein said at least one error tracking page corresponds to a unique network identifier of said at least one target device (see fig. 7, which discloses printer room 164.108 as a ‘unique network identifier’ target device).

15. As per claims 10, 21, and 32, Boldt discloses “wherein said setting information includes a current target device setting (see col. 8, lines 43-47 discloses the computer writing a setting

from a source to the current targets in the network, which means they are available to accept the setting).

16. As per **claims 11, 22, and 33**, Boldt discloses “wherein said setting information includes available settings for said at least one target device (see col. 8, lines 43-47 discloses the computer writing a setting from a source to the targets, which means they are available to accept the setting).

17. As per **claim 34**, Boldt discloses “A method of establishing via a network a target device setting for a target device based on a source device setting of a source device (see abstract), comprising:

obtaining said source device setting from said source device (see col. 6, lines 46-49, which discloses “The dialog box 24 lists groups of features 26 available in the source printer 8a, b, c, d or printer file. A user would select the features from the displayed groups of source features 26”. See also fig. 5 for further detail, which discloses a computer getting a settings from a source printer to transfer to the target printers);

attempting to write said source device setting to said target device (see col. 8, lines 44-47, which discloses “then the computer 4a, b, c, d would begin the process of copying values for the selected features from the source printer 8a, b, c, d or printer file to the targets”); and

determining whether said target device accepted said source device setting that was attempted to be written to said target device (see col. 8, lines 50-53, which discloses the beginning steps of a loop to configured all targets devices”),

wherein if said target device did not accept said source device setting, said method further comprising (see col. 8, lines 50-58 and col. 9, lines 17-20, which discloses one or more printers not being happy (configured) with one or some of the selected features that had been forwarded to it/them. Further, please see fig. 7, which discloses one of the selected features such as 'console lock' not being accepted to the target, 'printer room 164.108'.

Looking back at fig. 4, someone can see that 'console lock' was one of the selected features):

tracking an error (a device setting not being accepted), said error indicating that said target device did not accept said source device setting that was attempted to be written to said target device (see col. 8, lines 60-67, which discloses "If the target is a printer 8a, b, c, d, then control transfers to block 64 where the computer 4a, b, c, d transmits a query over the network 10 to the target printer 8a, b, c, d to determine whether the target printer 8a, b, c, d supports both the selected feature and the source value for the selected feature. For instance, the target printer 8a, b, c, d may support the selected feature, but may not be capable of implementing the source value for the selected feature");

determining available settings for said target device (see col. 8, lines 60-67);

displaying said available settings to a user (see col. 6, lines 52-63);

selecting, by said user, a desired value from said available settings as a replacement for said source device setting (see col. 8, line 65 to col. 9, line 12, which discloses "For instance, the target printer 8a, b, c, d may support the selected feature, but may not be capable of implementing the source value for the selected feature. If the selected target was a printer file, then the computer 4a, b, c, d would just write the values for the selected source feature to the file. After determining which of the values for the selected features are supported at

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the target printer 8a, b, c, d, control transfers to block 66 where the computer 4a, b, c, d configures the selected target printer with the values for the selected group of features that are available at the target printer 8a, b, c, d, as determined from the query at block 64”); and fixing said error by writing said desired value to said target device (see col. 9, lines 3-12).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. **Claim 35**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Boldt et al. (US pat. 6,349,304) in view of Shima (US pat. 7,050,192).

20. As per **claim 35**, Boldt discloses a method for a computer to establish, via a network, target device settings for a plurality of target devices based on source device settings of a source device (see abstract), comprising: (a) establishing a network connection between said computer and said source device (see col. 6, lines 30-32, which discloses “Using an input device, the user at the computer 4a, b, c, d may select a source for the values of printer features to copy to selected target printers”); (c) executing said applet on said computer to establish said target device settings in said plurality of target devices (see col. 4, lines 54-63) by: establishing a first remote session with said source device; retrieving a settings list from said source device; retrieving said source device settings (see col. 6, lines 46-49, which discloses “The dialog box 24 lists groups of features 26 available in the source printer 8a, b, c, d or printer file. A

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user would select the features from the displayed groups of source features 26". See also fig. 5 for further detail, which discloses a computer getting a settings from a source printer to transfer to the target printers); terminating said first remote session with said source device (see fig. 8); and for said each target device: establishing a second remote session with said each target device; transmitting and writing said source device settings to said each target device (see col. 8, lines 44-47, which discloses "then the computer 4a, b, c, d would begin the process of copying values for the selected features from the source printer 8a, b, c, d or printer file to the targets"); and determining whether any settings were not accepted by said target device (see col. 8, lines 50-53, which discloses the beginning steps of a loop to configured all targets devices"), wherein for said any settings that were not accepted by said target device (see col. 8, lines 50-58 and col. 9, lines 17-20, which discloses one or more printers not being happy (configured) with one or some of the selected features that had been forwarded to it/them. Further, please see fig. 7, which discloses one of the selected features such as 'console lock' not being accepted to the target, 'printer room 164.108'. Looking back at fig. 4, someone can see that 'console lock' was one of the selected features): tracking an error (a device setting not being accepted), said method further comprising: generating an invalid setting indication (see fig. 7); determining available settings for said target device based on said invalid setting indication (see col. 8, lines 60-67, which discloses "If the target is a printer 8a, b, c, d, then control transfers to block 64 where the computer 4a, b, c, d transmits a query over the network 10 to the target printer 8a, b, c, d to determine whether the target printer 8a, b, c, d supports both the selected feature and the source value for the selected feature. For instance, the target printer 8a, b, c, d may support the selected feature, but may not be

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capable of implementing the source value for the selected feature”); displaying said available settings to a user (see fig. 4 and col. 6, lines 52-63); said user selecting a desired value from said available settings as a replacement for said source device setting (see col. 8, line 65 to col. 9, line 12, which discloses “For instance, the target printer 8a, b, c, d may support the selected feature, but may not be capable of implementing the source value for the selected feature. If the selected target was a printer file, then the computer 4a, b, c, d would just write the values for the selected source feature to the file. After determining which of the values for the selected features are supported at the target printer 8a, b, c, d, control transfers to block 66 where the computer 4a, b, c, d configures the selected target printer with the values for the selected group of features that are available at the target printer 8a, b, c, d, as determined from the query at block 64”); and transmitting and writing said desired value to said target device (see col. 9, lines 3-12).

but fails to disclose expressly (b) said source device transmitting an applet to said computer via said network connection; and entering IP addresses for each target device of said plurality of target devices.

Shima discloses (b) said source device transmitting an applet to said computer via said network connection; and entering IP addresses for each target device of said plurality of target devices (see col. 4, lines 49-51, which discloses “For example, a program such as Applet of JAVA is sent to the host computer 10 from the printer 30 to display a setting screen”, and col. 3, lines 59-61, which discloses “The network printer 30, the host computer 10, and the web server 20 are respectively assigned IP addresses on the network”).

Boldt et al. (US pat. 6,349,304) and Shima (US pat. 7,050,192) are analogous art because they are from the same field of endeavor of a host computer serving as a GUI connected in a network with a printer.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify a system and method for configuring a plurality of devices linked to a network, such as printers or any other network device, with a computer also linked to the network as described by Boldt and a network printer which stores in advance a network address (for example URL) where contents are retained, location information of the necessary contents in the contents retained at an address site and described in a predetermined language (for example HTML) and the print layout information of the contents, and accesses the site on the network with a preset timing, receives the retained contents, extracts the necessary contents from the received contents according to the contents location information, and prints the necessary contents according to the print layout information as taught by Shima.

The motivation for doing so would have been because Shima teaches **“Providing such a network printer eliminates the need for accessing a plurality of websites, selecting necessary contents, and printing the contents every morning, and also allows a plurality of contents to be printed in a desired layout thus obtaining a customized internet newspaper”** (see col. 2, lines 29-33).

Therefore, it would have been obvious to combine Shima (US pat. 7,050,192) with Boldt et al. (US pat. 6,349,304) for the benefit of creating a method for a computer to obtain the invention as specified in claim 35.

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RELEVANT ART CITED BY THE EXAMINER

21. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See MPEP 707.05(c).

22. The following reference teaches using the setting of one printer in a network to set the other ones.

U.S. PATENT NUMBER

US 5,905,906

US 7,248,379

US 7,102,783

US 7,047,088

VI. CLOSING COMMENTS

Conclusion

a. STATUS OF CLAIMS IN THE APPLICATION

23. The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. 707.07(i):

a(1) CLAIMS REJECTED IN THE APPLICATION

24. Per the instant office action, claims 1-35 have received a final action on the merits.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

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mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

b. DIRECTION OF FUTURE CORRESPONDENCES

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.

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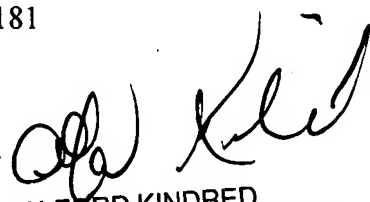
IMPORTANT NOTE

26. If attempts to reach the above noted Examiner by telephone is unsuccessful, the Examiner's supervisor, Mr. Alford Kindred, can be reached at the following telephone number:
Area Code (571) 272-4037.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 01, 2007

Ernest Unelus
Examiner
Art Unit 2181


ALFORD KINDRED
SUPERVISORY PATENT EXAMINER